IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.29 OF 2004
IN
SUMMARY SUIT NO.2570 OF 2002

Bharat Ratilal Desai ..Plaintiff.

Vs.

M/s.Sabero Organics Gujarat Ltd. ..Defendants.

Mr.R.L.Dharia, Advocate for the Plaintiff.

Mr.A.G.Damle, Advocate for the Defendants.

CORAM: S.J.VAZIFDAR, J.
DATED: 18TH JANUARY, 2005

P.C. :

The suit is filed to recover the price of goods sold and delivered. Admittedly, the invoices were raised and goods were supplied by the Plaintiff to the Defendants. Admittedly, the goods have been retained and utilised by the Defendants. The Defendants never offered to return the same. There was reply to the notices of demand. The defence that the goods were defective is absolutely false.

2. In the circumstances, the Summons for Judgment is made absolute with costs.

Refund as per rules.

For the purpose of refund, all parties including the Prothonotary and Senior Master to act on an ordinary copy of this order duly authenticated by the Associate/Court Stenographer.